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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,599	04/14/2004	Richard J. Fine	56406.0002	6238

7590 07/15/2005
BAKER & HOSTETLER LLP
Washington Square
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EXAMINER

THAI, CANG G

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/823,599	FINE, RICHARD J.	
	Examiner	Art Unit	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

mc

DETAILED ACTION

Response to Amendment

The amendment filed 4/18/2005 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8, 9-14, and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,792,462 (BERNHARDT ET AL.).

As for Claim 1, BERNHARDT discloses a method for linking business interests, comprising the steps of:

- a) receiving postings of business venture items to a provider (Fig. 1, Element Outsourced Service Provider). With regards to venture items, BERNHARDT teaches the workitems are submitted from the "client" to a central entry point on a server would read over the steps of receiving postings of business venture items to a provider {Column 27, Lines 65-66}. It appears that workitems can be read on as business venture items.

- b) providing to a customer access to said postings via an agreement with the provider (Fig. 1, Element Online Customer). With regards to via an agreement with the provider, BERNHARDT teaches a cache may be used to provide fast access to the managed objects and their properties as needed for authentication, authorization and common enumerations would read over providing a customer access to posting via an agreement with the provider {Column 31, Lines 49-51}. It appears that in order to gain access one must have an agreement with the provider and further linking the customer to the business interests items, and create common enumerations to create new businesses when combined.
- c) linking customer to business venture items, wherein the business venture items are well suited to create new businesses when combined {See Column 2, Lines 53-57, wherein reads over "active directory offers multi-master replication, individual changes (interests) made in one copy of the directory are generally automatically replicated to other appropriate copies of the directory, whether connected via point-to-point or store-and-forward links"}. With regards to venture items, wherein the business venture items are well suited to create new businesses when combine, BERNHARDT teaches the target objects interests may be grouped into territories (or active views) for purposes of implementation of the rules (businesses) {Column 8, Lines 11-13}.

As for Claim 2, BERNHARDT further discloses business ventures consists of a group including equipment, real estate, intellectual property, technical expertise, material inventories, purchase agreements, product purchases, and investment capital {See Column 1, Lines 18-23, wherein this reads over “management challenges for such environment includes features such as corporate web farms, large-scale Intranets (intellectual property), e-Commerce applications, on-line customer relationships (technical expertise), remote sales offices, integrated business partnerships (investment capital) and extended supply chains (product purchases)”}.

As for Claim 3, BERNHARDT further discloses the steps of the customer negotiating the linked business venture items {See Column 2, Lines 53-57, wherein this reads over “active directory (negotiating) offers multi-master replication, individual changes (interests) made in one copy of the directory are generally automatically replicated to other appropriate copies of the directory, whether connected via point-to-point or store-and-forward links”}.

As for Claim 4, BERNHARDT further discloses the linking step consists of the customer creating item selection criteria {Column 5, Lines 40-42, wherein this reads over “selected ones of the entity objects using the administrator authorities of the network environment”}.

As for Claim 5, BERNHARDT further discloses the step of customer providing item selection criteria to the provider {Column 5, Lines 41-45, wherein this reads over “a plurality of rules are provided specifying ones of the entity objects authorized to invoke ones of the administration powers to establish properties of target entity objects”}. With

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regards to by an order of hierarchy, BERNHARDT teaches the designated property of the target entity objects is then established only if the requesting entity object is authorized and the policy objects which apply are satisfied {Column 11, Lines 41-44}.

As for Claim 6, BERNHARDT further discloses the step of the provider providing items indicated by the item selection criteria to the customer {Column 5, Lines 45-49, wherein this reads over “a presentation of layers receives a request to establish one of the properties of a target one of the entity objects from a requesting of one of the entity objects and provides information to the requesting one of the entity objects”}.

As for Claim 7, BERNHARDT discloses the provider utilizes a computer system to implement the linking business venture items {Column 1, Lines 14-16, wherein this reads over “enterprise computing is evolving from a centralized, mainframe-based model, to distributed client-server and Internet based computing”}.

As for Claim 8, BERNHARDT further discloses the computer system uses the Internet in the form of a web portal {Column 7, Lines 36-40, wherein this reads over “the remote computer may be connected to the user’s computer through a local area network (LAN) or a wide area network (WAN), or the connection may be made to an external computer (for example, through the Internet using and Internet Service Provider”}.

As for Claim 9, which has the same limitations as in Claim 1, therefore, it is rejected for the similar set forth in Claim 1.

As for Claim 10, which has the same limitations as in Claim 2, therefore, it is rejected for the similar set forth in Claim 2.

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As for Claim 11, which has the same limitations as in Claim 3, therefore, it is rejected for the similar set forth in Claim 3.

As for Claim 12, which has the same limitations as in Claim 4, therefore, it is rejected for the similar set forth in Claim 4.

As for Claim 13, which has the same limitations as in Claim 5, therefore, it is rejected for the similar set forth in Claim 5.

As for Claim 14, which has the same limitations as in Claim 6, therefore, it is rejected for the similar set forth in Claim 6.

As for Claim 15, which has the same limitations as in Claims 1 and 9, respectively, therefore, it is rejected for the similar set forth in Claims 1 and 9, respectively.

As for Claim 16, which has the same limitations as in Claims 2 and 10, respectively, therefore, it is rejected for the similar set forth in Claims 2 and 10, respectively.

As for Claim 17, which has the same limitations as in Claims 3 and 11, respectively, therefore, it is rejected for the similar set forth in Claims 3 and 11, respectively.

As for Claim 18, which has the same limitations as in Claims 4 and 12, respectively, therefore, it is rejected for the similar set forth in Claims 4 and 12, respectively.

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As for Claim 19, which has the same limitations as in Claims 5 and 13, respectively, therefore, it is rejected for the similar set forth in Claims 5 and 13, respectively.

As for Claim 20, which has the same limitations as in Claims 6 and 14, respectively, therefore, it is rejected for the similar set forth in Claims 6 and 14, respectively.

Response to Arguments

3. Applicant's arguments filed 04/18/2005 have been fully considered but they are not persuasive.

BERNHARDT teaches the workitems are submitted from the "client" to a central entry point on a server would read over the steps of receiving postings of business venture items to a provider {Column 27, Lines 65-66}. It appears that workitems can be define as business venture items.

BERNHARDT teaches a cache may be used to provide fast access to the managed objects and their properties as needed for authentication, authorization and common enumerations would read over providing a customer access to posting via an agreement with the provider {Column 31, Lines 49-51}. It appears that in order to gain access one must have an agreement with the provider and further linking the customer to the business interests items, and create common enumerations to create new businesses when combined.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

No claims are allowed.

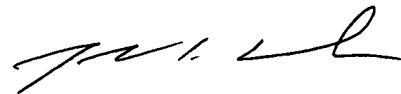
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
07/11/2005



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